

Application No. 10/540,906
 Paper Dated: February 22, 2007
 In Reply to USPTO Correspondence of 01/19/2007
 Attorney Docket No. 3988-051890

Customer No. 28289

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/540,906
 Applicant : Klaus Baltes et al.
 Received : June 29, 2005
 Title : FILLING MACHINE AND METHOD FOR PACKING
 : COMESTIBLES
 Confirmation No. : 4922

MAIL STOP PCT

Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

**LETTER RE COMPLETION OF FILING REQUIREMENTS FOR
 INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL
 STAGE IN U.S. ELECTED OFFICE (EO/US) UNDER 35 USC 371**

Sir:

In response to Document PCT/DO/EO/905 regarding "Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US)" mailed January 19, 2007, attached hereto are the following documents for filing in the above-identified United States Patent Application:

1. Declaration and Power of Attorney;
2. a check in the amount of \$130.00 to cover the surcharge;
3. the required copy of the above mentioned "Notice" to be returned with the response; and
4. Resubmission of translation of the Annexes.

"EXPRESS MAIL" mailing label number EV961835992US
 Date of Deposit February 22, 2007

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date 02/26/2007 above and is addressed to the: MAIL STOP PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

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Rose M. Collier

(Type or print name of person mailing paper)

Rose M. Collier

(Signature of person mailing paper)

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The Commissioner is hereby authorized to charge any additional fees as set forth in 37 C.F.R. §§ 1.16 and 1.17 which may be required, or to credit any overpayment to Deposit Account No. 23-0650. One (1) original and one (1) copy of this Submission are enclosed.

Respectfully submitted,

THE WEBB LAW FIRM

By



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UNITED STATES PATENT AND TRADEMARK OFFICE

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 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,906	Klaus Baltes	3988-051890

INTERNATIONAL APPLICATION NO.

PCT/EP03/14903

I.A. FILING DATE	PRIORITY DATE
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12/24/2003

12/30/2002

Russell D. Orkin
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 436 Seventh Avenue
 700 Koppers Building
 Pittsburgh, PA 15219-1845

CONFIRMATION NO. 4922

371 FORMALITIES LETTER



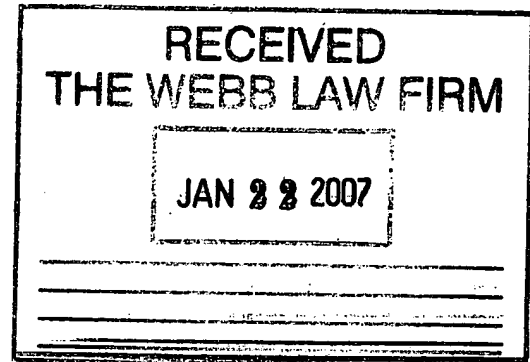
OC000000022063469

Date Mailed: 01/19/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/29/2005
- English Translation of the IA filed on 06/29/2005
- Copy of the International Search Report filed on 06/29/2005
- Copy of IPE Report filed on 06/29/2005
- Copy of Annexes to the IPE filed on 06/29/2005
- English Translation of Annexes to the IPE filed on 06/29/2005
- Preliminary Amendments filed on 06/29/2005
- U.S. Basic National Fees filed on 06/29/2005
- Priority Documents filed on 06/29/2005
- Power of Attorney filed on 06/29/2005
- Specification filed on 06/29/2005
- Claims filed on 06/29/2005
- Abstracts filed on 06/29/2005
- Drawings filed on 06/29/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

Additionally the following defects have been observed:

- Annexes have not been entered because they were not a page for page substitution.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,906	PCT/EP03/14903	3988-051890